

Notice of Allowability	Application No.	Applicant(s)	
	10/710,808	GOLDENBERG, MICHAEL	
	Examiner	Art Unit	
	Kurt Fernstrom	3712	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to _____.
2. The allowed claim(s) is/are 1-14 and 16-24.
3. The drawings filed on 04 August 2004 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 11/8/2004
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ronald Smith on January 28, 2005.

The application has been amended as follows:

In claim 1, line 1, --assembly—has been inserted after “A Braille pin”, and –a Braille pin having—has been inserted between “comprising:” and “a first part.”

In each of claims 2-14 and 16-24, line 1, --assembly—has been inserted after “The Braille pin”.

Claim 15 has been cancelled.

Allowable Subject Matter

Claims 1-14 and 16-24 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art fails to disclose or suggest a device having all of the limitations of claim 1. In particular, there is no suggestion the combination of a second bore section having sidewalls that define a bearing surface for a second pin part and a bore cross section at the section section which is substantially different from the cross section of the second pin part.

Pages 17-18 of the specification explain the differences in the cross section, namely in

their shapes, and discusses several advantages to this combination of features, including the reduction of surface contact area between the bore and the pin while maintaining some surface contact area to maintaining the pin in the proper position. Thus, the features do not represent a mere aesthetic choice of design, but rather have a functional use.

Petersen (US 6,734,785) discloses a Braille pin having all of the claimed limitations with the exception of the cross section of the second bore section 36 being substantially different from that of the second pin part 42. Tani discloses a Braille pin where the cross section of a second bore section is substantially different from that of the second pin part 42, in that it is substantially larger, as well as a third bore section and pin part similar to those of claim 2 of the present invention. However, Tani does not disclose that there is a bearing surface where the bore and the pin contact each other. Roberts discloses that non-circular pins may be used to prevent rotation, but does not suggest a pin and a bore of differing cross section. There is no suggestion or motivation to combine the teachings of Petersen, Tani and Roberts to create the claimed invention, without using impermissible hindsight. As a result, claim 1, and all claims dependent therefrom, are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Petersen, Tani, Roberts, Hannen, Ogawa, Kaplan, Litschel, Becker, Schleppenbach, Schmidt, Schuler, Lindenmueller and Sutherland disclose various Braille pin devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kurt Fernstrom whose telephone number is (571) 272-4422. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


KURT FERNSTROM
PRIMARY EXAMINEE

KF
January 28, 2005